

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
GERARD JACKSON, *on behalf of* :  
*himself and others similarly situated,* :

Movant, :

23-MC-347 (JMF)

-v- :

ORDER

ARAGON ADVERTISING, LLC, :

Respondent. :  
-----X

JESSE M. FURMAN, United States District Judge:

On September 20, 2023, Movant Gerard Jackson filed a motion to compel in connection with a lawsuit pending in the United States District Court for the Middle District of Pennsylvania. ECF Nos. 1, 5.

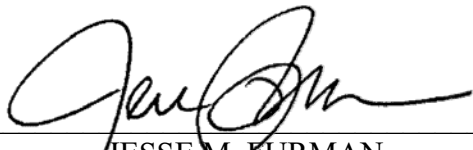
Based on a quick review of the motion papers, the Court is inclined to believe that the issues are more appropriately decided by the judge presiding over the underlying matter and that transfer to the Middle District of Pennsylvania pursuant to Rule 45(f) of the Federal Rules of Civil Procedure would therefore be appropriate. *See* Fed. R. Civ. P. 45(f) (“When the court where compliance is required did not issue the subpoena, it may transfer a motion under this rule to the issuing court if the person subject to the subpoena consents or if the court finds exceptional circumstances.”). **No later than October 3, 2023, Respondent shall file a letter indicating whether it would consent to such transfer. If Respondent does not consent, Movant may file a letter addressing the issue of transfer within one business day of Respondent’s letter.**

Unless and until the Court (or the transferee court in the event of any transfer) orders otherwise, no later than **October 2, 2023**, Movants shall serve this Order and (unless already served) its motion papers, both electronically and/or by overnight courier, on all parties in the Middle District of Pennsylvania action and file proof of such service on the docket. Any opposition to the motion — including any opposition by other parties in the Middle District of Pennsylvania action — shall be filed no later than **October 9, 2023**. No reply may be filed absent leave of Court.

The Joint Motion for to Set a Briefing Schedule is DENIED. The Clerk of Court is directed to terminate ECF No. 6.

SO ORDERED.

Dated: September 26, 2023  
New York, New York

  
\_\_\_\_\_  
JESSE M. FURMAN  
United States District Judge